

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KYLE BUCKLES,

Petitioner,

v.

REED RICHARDSON,

Respondent.

ORDER

17-cv-411-jdp

Pro se petitioner Kyle Buckles, a prisoner in the custody of the Wisconsin Department of Corrections at the Stanley Correctional Institution, filed this 28 U.S.C. § 2254 petition for a writ of habeas corpus on May 26, 2017. Pursuant to the court's order to show cause, respondent filed an answer on October 27, 2017. Buckles's original deadline for filing his opening brief was November 27, 2017, a deadline I extended multiple times. Dkt. 18; Dkt. 19; Dkt. 21. In the last order granting an extension, I advised Buckles that I would dismiss the petition for failure to prosecute if he did not file his brief by August 3, 2018. Dkt. 21.

That deadline has passed, but Buckles has not filed a brief or even another motion for an extension of time. As a result, I am dismissing the petition with prejudice. *Hill v. United States*, 762 F.3d 589, 591 (7th Cir. 2014) (“[D]ismissal for failure to prosecute is presumptively with prejudice.”).

ORDER

IT IS ORDERED that:

1. Pursuant to Federal Rule of Civil Procedure 41(b), this case is dismissed with prejudice for petitioner Kyle Buckles's failure to prosecute it.
2. The clerk of court is directed to enter judgment and close this case.

Entered September 14, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge